

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
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TO SECSTATE WASHDC 0653
INFO AMEMBASSY LONDON
ZEN AMCONSUL BELFAST (POUCH)

C O N F I D E N T I A L SECTION 01 OF 02 DUBLIN 01863

E.O. 11652: GDS-1
TAGS: PINS, PINT, SHUM, UK
SUBJECT: ALLEGATIONS OF POLICE MISTREATMENT OF SUSPECT
TERRORISTS IN NORTHERN IRELAND

REF: (A) BELFAST 97, (B) 77 BELFAST A-9

THE FOLLOWING MESSAGE WAS DRAFTED BY CONGEN JUNE 13.

1. SUMMARY: AMNESTY INTERNATIONAL'S REPORT ON POLICE
ABUSE OF TERRORIST SUSPECTS IN NORTHERN IRELAND (REF A)
HAS PUT THE GOVERNMENT ON THE SPOT. ALTHOUGH THE REPORT
HAS ITS LIMITATIONS (WE HAVE NOT SEEN IT IN FULL), IT
APPEARS AS THE MOST OBJECTIVE OUTSIDE INVESTIGATION
AVAILABLE. SECRETARY OF STATE FOR NI ROY MASON HAS
ACCEPTED PART OF AMNESTY'S RECOMMENDATIONS AND ANNOUNCED
A PRIVATE INQUIRY. AMNESTY HAD SUGGESTED A PUBLIC ONE,
WHICH HAS ITS DISADVANTAGES FOR THE GOVERNMENT BUT
WOULD PROBABLY BE SEEN AS MORE OBJECTIVE. WE BELIEVE
THAT POLICE ABUSE HAS NO PLACE IN THE THRUST OF BRITISH
POLICY IN NI AND QUESTION THE OBJECTIVITY OF MOST LOCAL
CRITICS, BUT CONSIDER THAT MORE HAPPENS THAN AUTHORITIES
STATE. OUR IMPRESSION IS THAT INTERROGATION IS
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ORDINARILY BASED ON EXTENSIVE INTELLIGENCE, THAT IF
CONFRONTATION WITH INTELLIGENCE IS INEFFECTIVE, THEN
TECHNIQUES MAY BE TOUGHER THAN MANY COUNTRIES WOULD
PERMIT, BUT THAT ACTIONS LEADING TO INJURY ARE RARE
AND ARE NOT CONDONED. WE NOTE THE HIGH DEGREE OF
POLICE PROFESSIONALISM, THE SMALL NUMBER OF DECECTIVES
WHOSE CONDUCT IS IN QUESTION, AND THE ENORMOUS PROVO-

CATION BY THE PROVISIONAL IRA. END SUMMARY.

2. AMNESTY REPORT AND GOVERNMENT REACTION: OFFICIALS OF THE NORTHERN IRELAND OFFICE (NIO) WORKED FRENETICALLY LAST WEEK IN CONSIDERING WHETHER TO REPLY TO THE AMNESTY REPORT ON POLICE ABUSE OF SUSPECTED TERRORISTS IN NI, AND WHAT POSITION TO TAKE ON AMNESTY'S RECOMMENDATIONS (REF A). ALTHOUGH SEEPLY RESENTFUL THAT THE REPORT HAD BEEN WIDELY LEAKED, SECRETARY OF STATE MASON JUNE 8 MADE A COMPREHENSIVE STATEMENT TO THE HOUSE BEFORE ITS SCHEDULED PUBLICATION THIS WEEK, AND ANNOUNCED SEVERAL DECISIONS: (1) THE FORMATION OF AN INDEPENDENT COMMITTEE OF INQUIRY TO CONSIDER IN PRIVATE POLICE PRACTICES AND PROCEDURES ON INTERROGATION OF SUSPECTS, AND THE EFFECTIVENESS OF THE PRESENT COMPLAINTS MACHINERY (REF B). USING ARGUMENTS THAT WILL NOT CONVINCE THE UNSYMPATHETIC, MASON REJECTED AMNESTY'S RECOMMENDATION FOR A PUBLIC INQUIRY, FOR INVESTIGATING SPECIFIC CASES OF ALLEGED MALTREATMENT, AND FOR CONSIDERING THE ADMISSIBILITY IN COURT OF STATEMENTS MADE TO THE POLICE BY SUSPECTS. (2) MASON SAID THE AUTHORITIES WOULD CONTINUE TO SEEK IMPROVEMENT IN SUSPECTS' RIGHTS, AS AMNESTY HAD SUGGESTED. SPECIFICALLY, THE CHIEF CONSTABLE OF THE ROYAL ULSTER CONSTABULARY (RUC) WAS ALREADY CONSIDERING THE USE OF CLOSED CIRCUIT TELEVISION TO MONITOR INTERROGATION. MASON PUT OFF THE "DIFFICULT QUESTION" OF CONFIDENTIAL

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ACCESS TO LAWYERS AS ALREADY UNDER EXAMINATION IN A COMPREHENSIVE REVIEW OF THE GOVERNMENT'S EXTRAORDINARY AUTHORITY TO COMBAT TERRORISM.

3. REACTION TO MASON: THE NIO FOLLOWED UP BY PUBLISHING MASON'S TEXT IN FULL PAGES OF THE THREE LOCAL DAILIES, AND AUTHORITIES COOPERATED IN MEDIA COVERAGE. UNIONISTS ROSE TO THE RUC'S DEFENSE, AND THE RUC PRESS OFFICE SENT OUT PHOTOGRAPHS OF THE SHINY CORRIDORS AND NEAT CELLS OF THE CASTLEREAGH AND ARMAGH POLICE INTERROGATION CENTERS. PEOPLE AND ORGANIZATIONS IN THE REPUBLICAN TRADITION USED STRONG WORDS IN REJECTING THE PRIVATE INQUIRY (THE ASSOCIATION FOR LEGAL JUSTICE, NI CIVIL RIGHTS ASSOCIATION, MP FRANK MAGUIRE, FATHER DENIS FAUL, AND SOME MEMBERS OF THE SOCIAL DEMOCRATIC AND LABOR PARTY), BUT SDLP LEADER JERRY FITT WAS NOTABLY CAUTIOUS. WE ARE NOW AWAITING THE INQUIRY'S MEMBERSHIP AND SPECIFIC TERMS OF REFERENCE. REPUBLICANS MAY NOT COOPERATE.

4. AUTHORITIES ON THE SPOT: THERE HAS BEEN PLENTY OF CRITICISM -- IN GOOD AND BAD FAITH -- OF RUC PRACTICES. AMNESTY'S CRITIQUE, HOWEVER, WILL BE SEEN AS THE MOST

AUTHORITATIVE AND OBJECTIVE, DESPITE: THE PARTIALITY OF THE EVIDENCE (AS MASON POINTED OUT, THE INVESTIGATIONS DID NOT SEE OFFICIAL PAPERS ON INDIVIDUAL CASES), AND THE LIMITED SOUNDING (ONLY FIVE CASES WERE EXAMINED INTENSIVELY). THAT MASON ACCEPTED AN INQUIRY AT ALL SHOWS HIS CONCERN. EVEN THEN, SENATOR EDWARD KENNEDY POINTED OUT THAT THE "BRITISH GOVERNMENT SHOULD NOT BE PLACED IN THE COMPROMISING POSITION OF INVESTIGATING ITSELF" (STATE 149642).

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C O N F I D E N T I A L SECTION 02 OF 02 DUBLIN 01863

5. GOVERNMENT POLICY: MASON SPOKE WELL AGAINST BRUTALITY, BUT ALSO GOVERNMENT'S NEED TO COMBAT TERRORISM. LEADERS KNOW THAT TO BRING THE CATHOLIC COMMUNITY FULLY INTO THE BODY POLITIC AND TO ACHIEVE THE RECONCILIATION NECESSARY FOR PEACE, THE SECURITY FORCES MUST OPERATE WITHIN THE LAW. INDEED, THE IMPROVEMENT IN THE RUC'S PROFESSIONALISM AND ITS RELEGATION OF THE ARMY TO SECOND PLACE, PLUS WAR WEARINESS, HAS BROUGHT FORTH THE INTELLIGENCE THAT HAS BEEN A MAJOR FACTOR IN BEATING DOWN THE PROVISIONAL IRA. THE INFORMATION AVAILABLE TO DETECTIVES IS NOW SO EXTENSIVE THAT MANY SUSPECTS PROBABLY ARE BROKEN BY THE CONFRONTATION WITH THE GROSS CRIMES THEY HAVE COMMITTED. DESPITE THE CLEAR POLICY OF PROTECTING SUSPECTS' RIGHTS, PRESSURE IS GREAT TO BEAT THE PIRA. DETECTIVES THUS ARE PUSHED TO GET CONVICTIONS (REF B GIVES BACKGROUND). ANOTHER TENSION POINT IS RUC CHIEF CONSTABLE SIR KENNETH NEWMAN'S ENGLISHNESS. HE REPLACED A POPULAR LOCAL TWO YEARS AGO AND HAS REBUILT THE RUC'S KEEN PROFESSIONALISM. AS AN OUTSIDER, HOWEVER, HE HAS

TO SHOW THAT HE STANDS UP FOR HIS FORCE. HE TOLD US IN
MARCH THAT RUC MORALE HAD SUFFERED LAST FALL FROM THE
CAMPAIGN ON POLICE ABUSES THAT RESULTED IN AMNESTY'S
COMING HERE.
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6. SINCERITY OR CYNICISM: THE THRUST OF BRITISH POLICY
IN NI SEEMS CLEAR, AND THE LEADERS SINCERE. THEY ADMIT
INDIVIDUAL ABUSES, ALTHOUGH WE HAVE THE IMPRESSION THERE
MAY BE MORE SUBSTANCE THAN THEY ACKNOWLEDGE. WE DO NOT
BELIEVE THAT THEY ARE SO CYNICAL AS TO NEGATE THE ENTIRE
THRUST OF THEIR POLICY BY DEMANDING OR CONDONING THE
LEVEL OF ABUSE CHARGED BY THE RUC'S REPUBLICAN CRITICS.
MOST OF THE CYNICISM OR FAULTY JUDGMENT RATHER SEEMS TO
FALL ON THE LATTER: HATRED OF THE BRITISH AND NI PRO-
TESTANTS WARPS JUDGMENT OR JUSTIFIES LIES OR EXAGGERA-
TIONS; THE OCCASIONAL PRISONER INJURES HIMSELF TO SHOW
UP THE RUC, AND OTHERS ALLEGE THAT MISTREATMENT WAS USED
TO WRING CONFESSIONS FROM THEM. GOVERNMENT LEADERS,
HOWEVER, MAY SET THE HUMAN RIGHTS THRESHOLD LOWER THAN
PURISTS MIGHT COUNTENANCE.

7. INTERROGATION PRACTICES: THIS PARAGRAPH IS IMPRES-
SIONISTIC. WE DO NOT HAVE DIRECT INFORMATION AND
QUESTION THE OBJECTIVITY OF MUCH OF THE CHARGES BANDIED
ABOUT. THE PROVISIONAL IRA ACKNOWLEDGES THE EXTENT
THAT ITS PEOPLE CONFESS AND TRAINS THEM TO RESIST. IN
GENERAL, IT NEVERTHELESS APPEARS THAT MANY CONFESSIONS
RESULT FROM THE INTERROGATOR'S DETAILED KNOWLEDGE OF THE
SUSPECT, AND THE ATMOSPHERE OF INTIMACY HE DEVELOPS.
OTHERS DEVELOP FROM TOUGH INTERROGATION TECHNIQUES THAT
DO NOT INJURE THE PERSON BUT MIGHT NOT BE PERMITTED IN
MANY DEVELOPED COUNTRIES -- PROLONGED QUESTIONING BY
TEAMS, MENTAL AND PHYSICAL TIREDNESS, AND DEPRIVATION
OF SLEEP. THIS PRESUMABLY NORMAL TREATMENT MAY BE
HARSHENED BY CUFFS OR BLOWS, EXERCISE THAT PRODUCES
EXHAUSTION, AND DEGRADING LANGUAGE. WE EXPECT THAT HARSHER
TREATMENT IS RARE, AND WOULD BE PUNISHABLE.

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8. BUREAUCRACY AND CORRECTNESS: MASON'S ARGUMENT WITH
AMNESTY IS WEAKENED BY THE LENGTH OF THE BUREAUCRATIC
TRAIL THE COMPLAINER MUST TRAVEL. WE ARE STILL AWAITING
THE RESULTS OF AN INQUIRY WE REQUESTED OF THE RUC ALMOST
TEN MONTHS AGO INTO THE MISTREATMENT ALLEGED BY A YOUNG

AMERICAN SUSPECT (WE FOLLOWED UP WITH NEWMAN JUNE 13).
COMPLAINERS (ASSUMING THEY ARE SINCERE) MAY FIND IT
DIFFICULT TO PRODUCE EVIDENCE OF MISTREATMENT THAT WILL
STAND UP IN COURT, OR TO IDENTIFY THEIR ALLEGED
ASSAILANTS. EVEN THE POLICE PRIVATELY COMPLAIN OF
DELAY IN THE PUBLIC PROSECUTOR'S OFFICE.

9. FINALLY, THE RUC AND BRITISH AUTHORITIES HAVE A DEEP
SENSE OF RECTITUDE. THEY BELIEVE THEY ARE ACTING
CORRECTLY AND RESENT CRITICISM, PARTICULARLY WHEN SO
MUCH OF IT COMES FROM INTERESTED SOURCES. BUT IN A
COUNTRY AS DIVIDED AS NI, THEIR DESIRE TO KEEP INVESTI-
GATIONS IN HOUSE INEVITABLY AROUSES SUSPICION, IF NOT
AUTOMATIC CONDEMNATION. SHANNON

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